S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 19, 2010

Introduced by M. of A. TEDISCO -- Multi-Sponsored by -- M. of A. CONTE, McKEVITT, MOLINARO, SAYWARD, THIELE -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to eligibility of property owned jointly by senior citizens and non-senior citizens for the enhanced STAR exemption

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subparagraph (i) of paragraph (a) of subdivision 4 of section 425 of the real property tax law, as amended by section 2 of part E of chapter 83 of the laws of 2002, is amended to read as follows:

(i) [All] AT LEAST ONE of the owners must be at least sixty-five years of age or older as of the date specified [herein, or in the case of property owned by husband and wife or by siblings, one of the owners must be at least sixty-five years of age as of that date and the property must serve as the primary residence of that owner] IN THIS SUBPARAGRAPH PROVIDED HOWEVER, THAT NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SECTION, THE EXEMPTION PROVIDED FOR IN THIS SECTION SHALL BE PROPORTIONED BETWEEN OR AMONG OWNERS WHO ARE AT LEAST SIXTY-FIVE YEARS OF AGE AND OWNERS WHO ARE LESS THAN SIXTY-FIVE YEARS OF AGE IN THE SAME PROPORTION AS THE OWNERSHIP IN THE PROPERTY IS PROPORTIONED. For the two thousand--two thousand one school year, eligibility for the exemption shall be based upon age as of December thirty-first, two thousand. For each subsequent school year, the applicable date shall be advanced by one year.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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